

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

KARL FUGATE,

Plaintiff,

v.

RONALD ERDOS, et al.,

Defendants.

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Case No. 1:19cv30

Judge Timothy S. Black

Magistrate Judge Bowman

NOTICE OF APPEAL

Notice is hereby given that Defendant, Ronald Erdos, hereby appeals to the United States Court of Appeals for the Sixth Circuit from the District Court's Order (Doc. 89), adopting the Magistrate Judge's Report and Recommendation (Doc. 80), granting in part, and denying in part, Defendant's Motion for Summary Judgment, which included qualified immunity, entered in this action on September 28, 2021.

Respectfully submitted,

DAVE YOST
Ohio Attorney General

/s/ Thomas E. Madden
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing *Notice of Appeal* was electronically filed on October 28, 2021. Notice of this filing was served by regular U.S. mail, postage prepaid, to Karl Fugate, #A528-949, Ohio State Penitentiary, 878 Coitsville-Hubbard Road, Youngstown, OH 44505. Parties may access this filing through the Court's system.

/s/ Thomas E. Madden
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